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**NEVADA STATE JUVENILE JUSTICE COMMISSION
PLANNING AND DEVELOPMENT COMMITTEE MEETING
MINUTES
August 29, 2013**

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Call to Order

The meeting was called to order by Chairman Coppa at 10:03 a.m.

Roll Call – Dan Coppa

Members Present: Dan Coppa

Members Present by Phone: Michael Beam, Elizabeth Florez

Members Excused: John Hambrick, Jack Martin, Steve McBride, Fernando Serrano

Staff Present: Karen Dickerson Deputy Attorney General, Pauline Salla

Staff Present by Phone: J. Alice Mueller

Public Comment and Discussion

There was no public comment.

Review of Official Minutes from July 18, 2013 Meeting

There was a minor change made to the minutes of July 18, 2013. Since there was not a quorum, the minutes were tabled and stand as corrected.

Medicaid Room and Board Funding Update – Pauline Salla

Abbreviations have been added to the Medicaid Room and Board Funding Summary spreadsheets in order to make their content more clear. The small amount of 2013 Medicaid Room and Board carryover that is still outstanding will be spent out by the time the October 15th quarterly reports come in. White Pine's carry over will be going to a youth who is in Rite of Passage.

There has only been one quarter for 2014. The amounts to the jurisdictions are generally unchanged, often only being a few dollars or even pennies different. These amounts are based on formulas that take into account new student populations. Half of the jurisdictions have already requested their amounts for the 2014 fiscal year which started on July 1st, 2013.

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Technical assistance in how to fill out the spreadsheet has resulted in the Counties getting better at providing the requested data. Storey County has been approved for an exception since they are gathering their data in a school group setting. This is needed as they are the only program available in Virginia City.

As the counties gain more confidence, the carry over amounts should decrease. There is still concern about using the money on community programs and not having it available for youth who may need placement. The flexibility to use this money has created some bugs, but they will eventually get worked out.

PREA Tool Kit Update– Pauline Salla

The implementation date for the PREA Tool kit is September 1st, 2013. All of the jurisdictions have received the final version of the template along with a note about implementation, technical assistance and available help in training their staff on the policies and procedures. They will be able to make the tool kit specific to their facilities. If they follow the policies and procedures, they will be in compliance with the PREA standards.

The Moss Group had initially discussed the best way to prepare the tool kit and it was decided to submit the completed project to them for feedback. If they are pleased with the effort, they may place it on the PREA resource page to assist others.

Many adult law enforcement agencies are currently interested in this and have requested assistance in setting up their own compliance procedures. Specialist Salla has gone to Lander County's Sheriff's Department for a walk thru, and was able to identify areas of concern in their jail. Ely jail, along with Washoe and Humboldt Counties have asked questions as the adult audits are about to start. For clarity, it is noted that the juvenile policies and procedures are more stringent than those for the adult facilities.

The juvenile audit should have begun; however, their audit tool has yet to be completed. A list of PREA auditors has been received. They will be doing facilities which are overseen by the Governor. Our office will take care of the county facilities. They will be doing not only Nevada Youth Training Center and Caliente, but also Red Rock Academy. Red Rock Academy is a private provider, but if the state is placing youth there, then it must be in compliance.

Fifteen posters dealing with PREA have become available. These posters inform youth about PREA, who they can go to and the 24 hour crisis number for reporting. They originated in Arizona from Charles Flannigan a member of the PREA work group through CJCA. The electronic files have been received but need to be modified to reflect the Nevada information. They will be distributed to the state facilities, state correctional care facilities, juvenile detention centers and county camps in addition to other programs like the Western Nevada Regional Youth Center and Red Rock Academy. Feedback about size and poster material is currently being collected. The idea is to have the posters rotated frequently so that they remain noticeable to the youth.

There was discussion on who would be paying for the posters. It was pointed out that many of the facilities would not have funds available for them in their budgets. Specialist Salla noted that there would be savings from the formula grants which could be appropriate for use.

Estimates on the cost of producing the posters were requested, along with Xerox copies for the committee to review. There was agreement that the facilities should not be saddled with the cost, but rather, since they are part of what is needed to become compliant, they should be covered by grant monies.

2012 Governor's Report– Pauline Salla

A draft of the 2012 Governor's report is requested by the September Planning and Development Meeting. The changes from the 2011 report are minimal but greater design differences were discussed. About a year ago the Coalition for Juvenile Justice had requested submissions of states governor's reports, many of which are significantly smaller than Nevada's. This report is usually approved at the Juvenile Justice Commission's Quarterly meeting in November so we are on track.

Audit Information, Elko and White Pine Counties– Pauline Salla

The records from Elko indicated that several years of monies from Formula and the Communities Corrections Partnership Block Grants had been spent out. The problem occurred in how the county accounted for the invoices by putting them toward county general funds instead. This is an internal issue and does not indicate any irregularities or wrong doing. The programming that the funds were spent on was appropriate. The counties will have to make the adjustments in replacing the excess from the federal grants back into the counties. White Pine and Elko Counties have both been cleared up.

There was concern that records should be kept detailing the audit findings. Ely and White Pine County have completed their fiscal audits, with Robert Handwerker from the fiscal division submitting a letter of the findings. This letter has been attached to their grant files. The deputy for the fiscal division of DCFS said that the money which was originally to be used for drug court programing can still be used for that.

Update on job announcement for part-time contractor– Pauline Salla

A draft of the Compliance Monitor Job Description was included in the committee's packet. A few minor changes were noted and the motion to approve the job description as amended was made by Commissioner Florez and seconded by Commissioner Beam. The motion passed, with updates on its progress to be made as realized.

Open Meeting Law Revision– Pauline Salla

Assembly Bill 65 made some changes with the open meeting law one of which refers to making information available to the public. The name and contact information on a designated person who keeps supporting materials along with a list of locations where these supporting material is available must be included with the posted agenda. This law came into effect on July 1st, 2013.

The statement added to the agenda was read and Deputy Attorney General Karen Dickerson said that it would suffice. She also suggested that George Taylor who is an expert on the law may be available to speak to the Juvenile Justice Commission on this topic at their next Quarterly meeting in Carson City.

The Juvenile Justice Website is being updated. It currently has information about the Juvenile Justice Commission's meetings along with their agenda and minutes. Other information such as the compliance report will be posted once it has been accepted by OJJDP. In this way, the public can be referred to the website saving the need to print and mail out information. It was suggested that the Juvenile Justice Commissioner Orientation DVD be place on the website once private commissioner contact information has been removed.

2012 Compliance Monitoring Report– Pauline Salla

The 2012 Compliance Monitoring Report has been filed. Much of the information remained the same. Western Nevada Regional Youth Center is no longer classified as a juvenile detention center since they no longer have secure holding cells however Churchill County has added a juvenile detention center, so the numbers remain the same. Similarly, one adult lock-up closed, but another opened, and there are still two training schools, NYTC and Caliente. The annual

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audits are set at 33 1/3% which allows for 100% audit every three years. These audits have been a bit of a scramble without the part time compliance monitor. Once hired, this individual will do as many of the Clark County facilities as possible.

It is important to identify which of the jails and lock-ups have a removal exception. This allows longer holding times often seen as necessary in rural areas. The issues associated with the deinstitutionalization of status offenders and valid court orders were discussed. In some cases the violations were as small as two minutes. A template has been provided to help overcome some of the problems, and when followed has proven to reduce the number of violations.

A question was asked about continued violations in certain jurisdictions. In addition to added technical assistance what can be done to help. Specialist Salla described a situation where the errors had been discussed a number of times with the chief being told that now the audits findings letter would be sent to the judges in addition to the chief. A question was then asked what would occur if the judiciary chose not to address the problem. The need for the facilities to be compliant with the four core requirements in addition to PREA was mentioned. With this consideration, it would then be appropriate to withdraw 10-20% of the formula funding as an incentive to bring the jurisdiction in line.

Other positive occurrences were pointed out. These included the new program in the Armargosa Valley, new additions to the jail in White Pine County making it available for holding juveniles and adding Pershing County to the removal exception. The intention is get the jail removal violations down to zero.

A comparison between 2005 and 2012's compliance report was considered. There was a big jump when the compliance audits were first begun compared with there only being two jail removal violations in the most recent accounting. Although this is quite an improvement, the need to continue to verify was reiterated.

New Business– Dan Coppa

There was no new business presented to the committee.

Comments from Public

There were no comments from the public.

Set Time, Date and Agenda for Next Meeting

The next Committee Meeting is scheduled for Thursday September 19, 2013 at 10:00 am. This will be a videoconference with the following agenda.

Agenda:

Medicaid Room and Board Funding Update, review of SFY 2014

PREA Tool Kit, feedback from the MOSS Group and examination of PREA Posters

Compliance Monitor Job Description update

2012 Governor's Report Draft

Adjourn

The meeting was adjourned at 11:08 a.m. by Chairman Coppa.